

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ACKERMAN BROTHERS FARMS, LLC, et al.,

Plaintiffs,

Case No. 1:17-cv-11779

v.

Honorable Thomas L. Ludington  
United States District Judge

UNITED STATES DEPARTMENT OF  
AGRICULTURE et al.,

Honorable Patricia T. Morris  
United States Magistrate Judge

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
AND GRANTING IN PART PLAINTIFFS' MOTION FOR ATTORNEY'S FEES**

Plaintiffs filed this class action under the Administrative Procedure Act for all dry-bean farmers in Michigan, Minnesota, and North Dakota who purchased Dry Bean Revenue Endorsement crop insurance from Defendants in 2015. ECF No. 1.

Now before this Court is Defendants' Objection, ECF No. 151, to Magistrate Judge Patricia T. Morris's Report recommending that Plaintiffs' Motion for Attorney's Fees, ECF No. 143, be granted in part and that Plaintiffs be awarded \$133,092.50, *see* ECF No. 150 at PageID.18323.

When a party objects to a magistrate judge's report, the court must review *de novo* those portions of it to which the party has objected. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3). To that end, the court must review at least the evidence that was before the magistrate judge. *See Hill v. Duriron Co.*, 656 F.2d 1208, 1215 (6th Cir. 1981). After reviewing the evidence, the court may accept, reject, or modify the findings or recommendations. FED. R. CIV. P. 72(b)(3); *Peek v. Comm'r of Soc. Sec.*, 585 F.Supp.3d 1014, 1017–18 (E.D. Mich. 2021). The court may adopt the report without specifying what it reviewed. *See Abousamra v. Kijakazi*, No. 1:21-CV-12918, 2023 WL 1997068, at \*1 (E.D. Mich. Feb. 14, 2023) (citations omitted).

This Court has reviewed Judge Morris's Report, Plaintiffs' Motion for Attorney's Fees, ECF No. 143, Defendants' Response, ECF No. 146, Plaintiffs' Reply, ECF No. 147, Defendants' Objection, ECF No. 151, and all other applicable filings. Having conducted this *de novo* review, this Court concludes that Judge Morris's factual conclusions are correct and that her legal reasoning is sound.

Accordingly, it is **ORDERED** that Defendants' Objection, ECF No. 151, is **OVERRULED**.

Further, it is **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 150, is **ADOPTED**.

Further, it is **ORDERED** that Plaintiffs' Motion for Attorney's Fees, ECF No. 143, is **GRANTED IN PART** and **DENIED IN PART**. It is **GRANTED** to the extent that it seeks \$133,092.50 in fees and costs; it is **DENIED** in all other regards.

**This is a final order.**

Dated: June 29, 2023

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge